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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF
PLAINTIFF'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF ITS MOTION TO
COMPEL WITH RESPECT TO ITS
SECOND SUBPOENA SERVED ON
NON-PARTY ANTHONY
LEVANDOWSKI (DKT. 1085)**

Trial Date: October 10, 2017

I, Michelle Yang, declare as follows:

1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Plaintiff's Administrative Motion to File Under Seal Portions of Its Motion to Compel with Respect to Its Second Subpoena Served on Non-Party Anthony Levandowski (Dkt. 1085).

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal
Waymo's Motion to Compel with Respect to Its Second Subpoena Served on Non-Party Anthony Levandowski ("Motion")	Blue-Highlighted portions on page 2
Exhibit 5 to Waymo's Motion	Blue-Highlighted portions
Exhibit 6 to Waymo's Motion	Entire Document

3. Certain blue-highlighted portions on page 2 of Waymo's Motion, and certain blue-highlighted portions of Exhibit 5, contain highly confidential information regarding the structure of a business agreement. This business agreement structure is not publicly known, and its confidentiality is strictly maintained. I understand that disclosure of this business agreement structure could harm Uber's competitive standing by allowing competitors insight into how Uber structures its business relationships with other companies.

4. Certain blue-highlighted portions on page 2 of Waymo's Motion, and the entirety of Exhibit 6, contain highly confidential information regarding the corporate structure of a company with whom Defendants have a business agreement. Exhibit 6 is this company's Operating Agreement containing confidential information regarding this company's ownership, operations, and finances. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. I understand that if this information were to be released to the public, Defendants' competitors and counterparties would have insight into the detailed

1 corporate structure and business information of a counterparty of an agreement with Defendants,
 2 which would allow them to tailor their own business strategy, such that Uber's competitive
 3 standing could be harmed.

4 5. Certain blue-highlighted portions of Exhibit 5 contain the email addresses and
 5 phone numbers of high-ranking current and former company employees, whose personal
 6 information could become compromised if disclosed to the public. Defendants seek to seal this
 7 information in order to protect the privacy of these current and former employees, as prominent
 8 individuals at the company are currently the subject of extensive media coverage. Disclosure of
 9 this information for such high-ranking current and former employees could expose them to harm
 10 or harassment.

11 6. Defendants' request to seal is narrowly tailored to those portions of Plaintiff's
 12 Motion and supporting papers that merit sealing.

13 I declare under penalty of perjury under the laws of the United States that the foregoing is
 14 true and correct. Executed this 8th day of August, 2017, at Cambridge, Massachusetts.

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16
17 /s/ Michelle Yang

Michelle Yang

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20 **ATTESTATION OF E-FILED SIGNATURE**

21 I, Arturo J. González, am the ECF User whose ID and password are being used to file this
 22 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has
 23 concurred in this filing.

24 Dated: August 8, 2017

/s/ Arturo J. González

Arturo J. González